



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

In The Matter of	:	
	:	
	:	Proceeding Under Section 308 of the
	:	Clean Water Act, 33 U.S.C. ' 1318
Department of the Army and	:	
The Army Corp of Engineers	:	
	:	
Respondent	:	REQUEST FOR INFORMATION
	:	
WASHINGTON AQUEDUCT	:	
5000 MacArthur Boulevard, N.W.	:	
Washington, DC 20315-0220	:	

REQUEST FOR INFORMATION

I. STATUTORY AUTHORITY

1. This Request for Information is issued under the authority vested in the United States Environmental Protection Agency (EPA) by Section 308 of the Clean Water Act (CWA), 33 U.S.C. ' 1318. The Administrator of the EPA has delegated this authority to the Regional Administrator of EPA Region III who in turn has delegated it to the Director of the Water Protection Division of EPA Region III, who has delegated it to the Associate Director of the Office of NPDES Permits and Enforcement. EPA hereby requests the Department of the Army (Respondent) to provide information specified below, regarding its discharges from the Washington Aqueduct Water Treatment Plant which is the subject of National Pollutant Discharge Elimination System (NPDES) Permit Number DC 0000019.

II. STATUTORY AND REGULATORY BACKGROUND

2. EPA is authorized under section 308 of the CWA, 33 U.S.C. § 1318, to require owners and operators of point sources to establish records and make such reports as may be necessary to carry out the purpose of the Act, including but not limited to:
 - (a) developing or assisting in the development of any effluent limitation, or other limitation, prohibition, effluent standard, pretreatment standard, or standard of performance under the CWA;

- (b) determining whether any person is in violation of any such effluent limitation, or other limitation, prohibition or effluent standard, pretreatment standard, or standard of performance;
 - (c) any requirement under Section 308 of the CWA; and
 - (d) carrying out Sections 305, 311, 402, 404, and 504 of the CWA.
- 3. Providing misleading or false information in response to a CWA Section 308 information request may subject you to sanctions, including criminal sanctions. The information you provide may be used by EPA in subsequent proceedings.
- 4. Pursuant to Section 313 of the CWA, 33 U.S.C. § 1323, subject to certain exceptions, each “department, agency, or instrumentality of the executive, legislative, and judicial branches of the Federal Government (1) having jurisdiction over any property or facility, or (2) engaged in any activity resulting, or which may result, in the discharge or runoff of pollutants, and each officer, agent, or employee thereof in the performance of his duties, shall be subject to, and comply with all Federal, State, interstate, and local requirements, administrative authority, and process and sanctions respecting the control and abatement of water pollution in the same manner, and to the same extent as any nongovernmental entity including the payment of reasonable service charges. The proceeding sentence shall apply (A) to any requirement whether substantive or procedural (including recordkeeping or reporting requirement, any requirement respecting permits and any other requirement whatsoever), (B) to the exercise of any Federal, State or local administrative authority, and (C) to any process and sanction, whether enforced in Federal, State, or local courts or in any other manner.”
- 5. You may, if you desire, assert a business confidentiality claim covering all or part of the information requested herein in the manner described in 40 C.F.R. Part 2 Subsection B. Information covered by such a claim will be disclosed by EPA only to the extent and by means of the procedures set forth in Subpart B, 40 C.F.R. Part 2. If no claim of confidentiality accompanies the information requested herein when it is received by EPA, it may be made available to the public by EPA without further notice. You may not withhold any information from EPA on the grounds that it is confidential business information. This inquiry is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act 44 U.S.C. Chapter 35. (See 5 C.F.R. Section 1320.3(c)).
- 6.

III. INSTRUCTIONS

- 7. Identify each person responding to any question contained in this Information Request on behalf of the Respondent, as well as each person consulted in the preparation of the response.

8. For each question, identify each document consulted, examined, or referred to in the preparation of the response or that contains information responsive to the question, and provide a true and correct copy of each such document if not provided in response to another specific question.
9. Indicate on each document produced in response to this Information Request, or in some other reasonable manner, the number of the question to which it corresponds.
10. If a tabulation is requested, provide the requested information in tabular form in hard copy and also in tabular form in an electronic spreadsheet file of Lotus 1-2-3, Excel, or ASCII delimited format.
11. To the extent information requested herein was previously provided to EPA by Respondent, there is no need to provide it again, but rather identify the information and the date it was previously provided.
12. If requested information or documents are not known or are not available at the time of your response to this Information Request, but later become known or available, the Respondent must supplement its response to EPA. Moreover, should the Respondent find at any time after submission of its response that any portion is or becomes false, incomplete, or misrepresents the facts, the Respondent must provide EPA with a corrected response as soon as possible.
13. All submissions provided pursuant to this request shall be signed and dated by a responsible official of Respondent to include the following certification:

“I certify that the information contained in or accompanying this submission is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I certify as having responsibility for the persons who, acting under my direct instruction, made the verification that this information is true, accurate, and complete.”

Signed _____,
Title _____

14. Submit a copy of your response to the following individual:

Andrew Seligman (3WP42)
NPDES Enforcement Branch
Water Protection Division
U. S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103-2029

15. If you have questions regarding this Information Request, you may contact Stefanie Shamet of the Office of Regional Counsel at (215) 814-2682 or Andrew Seligman of the NPDES Enforcement Branch at (215) 814-2097.

V. REQUEST FOR INFORMATION

AND NOW, this _____ day of _____, 2011, Respondent is hereby requested, pursuant to Section 308 of the Act, 33 U.S.C. Section 1318, to provide the following information:

16. An estimated mass of solids that have been deposited, dredged or accumulated in Georgetown Sedimentation Basin #1 and #2 since the completion of cleaning in February 2015.

A status update on modifications or improvements made to the sediment removal barges that ensure adequate removal of solids deposited in the Georgetown Sedimentation Basins.

EFFECTIVE DATE

This REQUEST FOR INFORMATION is effective upon receipt. The information shall be continuously submitted by the end of each calendar month.

Date: _____

David B. McGuigan, Ph.D.
Associate Director
Office of Compliance and Enforcement